

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
Southern Division  
Docket No. 7:09-CR-168-1F**

<b>United States Of America</b>	)	AMENDED
	)	<b>JUDGMENT</b>
<b>vs.</b>	)	
	)	
<b>Jim Novak</b>	)	

On September 2, 2005, James Novak appeared before the Honorable Curtis L. Collier, U.S. District Judge in the Eastern District of Tennessee, and upon a plea of guilty to Conspiracy to Distribute 500 Grams or More of Methamphetamine in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A) and Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. § 924(c)(1)(A)(I), was sentenced to the custody of the Bureau of Prisons for a term of 57 months. Additionally, it was ordered by the court that the defendant be placed on supervised release for 60 months upon release from imprisonment. James Novak was released from custody and the term of supervised release commenced on February 27, 2009.

On March 23, 2011, Jim Novak appeared with counsel before the Honorable James C. Fox, Senior U.S. District Judge in the Eastern District of North Carolina. The court found the defendant had violated the terms and conditions of the judgment as follows: failure to submit truthful and complete written reports within the first five days of each month, failure to participate as directed in a treatment program for narcotic addiction, drug dependency, or alcohol dependency, failure to participate as directed in a urinalysis program, failure to report to the probation officer as directed by the court or probation officer, and failure to work regularly at a lawful occupation.

On April 10, 2012, Jim Novak appeared with counsel before the Honorable James C. Fox, Senior, U.S. District Judge in the Eastern District of North Carolina and pursuant to a mandate from the U.S. Court of Appeals for the Fourth Circuit was sentenced as follows:

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the supervised release term heretofore granted be revoked, and the defendant is ordered committed to the custody of the Bureau of Prisons or its authorized representative for imprisonment for a period of 24 months.

**IT IS FURTHER ORDERED** that the balance of the financial imposition originally imposed be due in full immediately.

**IT IS RECOMMENDED** that the defendant be incarcerated at Federal Correctional Institution Butner.

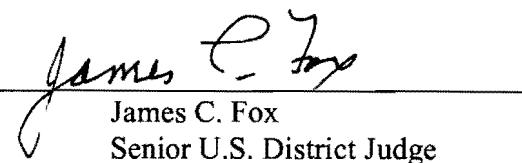
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**IT IS FURTHER ORDERED** that upon release from custody, the defendant be placed on supervised release for a term of 12 months under the standard conditions of supervised release and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

**IT IS FURTHER ORDERED** that the Clerk provide the U.S. Marshal a copy of this Judgment and same shall serve as the commitment herein.

This the 10th day of April, 2012.



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James C. Fox  
Senior U.S. District Judge